

AO 91 (Rev. 02/09) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

NOV 04 2016

for the

Southern District of Texas

Clerk of Court

United States of America)
v.)
Jose Romo-Saavedra (YOB 1975, COB Mexico))

Case No.

M-16-2040

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 11/03/2016 in the county of Hidalgo in the Southern District of Texas, the defendant violated Title 8 U. S. C. § 1324(a) (1)(A)(iii)

, an offense described as follows:

Knowing and in reckless disregard of the fact that Juilo Gonzalez Figueroa and Carlos Gustavo Lazo-Ortiz had come to, entered, or remained in the United States in violation of law and did knowingly conspire with others, known and unknown, conceals harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such alien in any place, including any building or any means of transportation or otherwise in furtherance of such violation.

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.



Complainant's signature

Michael A. Renaud, HSI Special Agent

Printed name and title

Approved Josh Leinaad

Sworn to before me and signed in my presence.

Date: 11/04/2016

City and state: McAllen, Texas



Judge's signature

Guillermo R. Garcia, U.S. Magistrate Judge

Printed name and title

Attachment "A"

On November 3, 2016, Hidalgo County Sheriff's Deputies received a telephone call from an individual who stated that undocumented aliens (UDAs) were being held against their will at Romo's Tire and Muffler Service in Edinburg, Texas. Deputies arrived at the business and identified the owner as Jose Romo-Saavedra. Deputies requested and received Romo-Saavedra's consent to search his business property. The consensual search resulted in deputies locating a total of 15 UDAs on the business property. 5 UDAs were in a trailer behind the business, 10 UDAs were in the attic and 1 alien was a shop worker in violation of the terms of his visitor visa. Additionally, a handgun was located inside of Romo-Saavedra's vehicle. U.S. Border Patrol Agents arrived to take Romo-Saavedra and the 15 UDAs into custody.

Homeland Security Investigations (HSI) Special Agents Jose Ovalle, Fatima Alkhatib and HSI Task Force Officers (TFOs) Richard Mares and Joe Alvarado arrived at the Weslaco Border Patrol Station to provide investigative assistance.

Romo-Saavedra was read his Miranda Rights in the Spanish language by TFO Alvarado. Romo-Saavedra invoked his right to an attorney and an interview was not conducted.

Special Agents and TFOs interviewed Miguel Omar Cantu-Chaerez, a visitor visa holder from Mexico who had been working at the shop. Cantu was shown a photographic lineup in which he positively identified Romo-Saavedra. On October 31, 2016, Cantu stated he began to work for Romo-Saavedra at the tire and mechanic shop. On that same day, Cantu noticed four other individuals working at the shop. One of the four subjects was known to him as "Gallo". On November 1, 2016, Cantu saw a black Cadillac arrive at the tire shop. "Gallo" opened the door to the Cadillac and four people came out and were told by "Gallo" to go inside the shop and go up a ladder to the attic area. Later that day, Cantu saw Romo-Saavedra hand "Gallo" a one hundred dollar bill and instructed him to buy 20 pounds of chicken to cook. "Gallo" later arrived with the chicken which was prepared and fed to the people in the attic. On November 3, 2016, Cantu noticed there was an additional five people in the attic of the tire shop. Also on November 3, 2016, Cantu saw Romo-Saavedra climb the ladder to the attic where he remained for approximately 20 minutes talking to the individuals.

Special Agents and TFOs interviewed Julio GONZALEZ-Figueroa, a UDA from El Salvador. Gonzalez stated his smugglers transported him to Romo's tire shop. Gonzalez stated he had been staying at the tire shop for approximately seven days. Gonzalez stated that ROMO would get mad at him and tell him to get back in the attic if he would see him looking out. Gonzalez stated that he asked Romo-Saavedra when he was going to leave because he felt like they were keeping him against his will. Romo-Saavedra told Gonzalez that he did not know when he would be leaving. Gonzalez identified Romo-Saavedra from a photo lineup.

Special Agents and TFOs interviewed Carlos Gustavo Lazo-Ortiz, a UDA from El Salvador. Lazo-Ortiz was shown a photographic lineup in which he positively identified Romo-Saavedra as

the person responsible for housing them at the business they were located at. Lazo-Ortiz stated he was transported to Romo's Muffler Shop by a smuggler and when he arrived, Romo-Saavedra told him to proceed up a wooden staircase and hide in the rafters. Lazo-Ortiz stated he had been at the shop for approximately 7 days. While at Romo's shop, Lazo-Ortiz stated he was fed chicken once a day and was instructed when he could go downstairs to urinate.